


CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): RICHARD C. CHU ET AL			POU920010085US1 (132-0005)
Application No. 09/965,037	Filing Date September 27, 2001	Examiner Patel	Group Art Unit 3743
Invention: TRANSPIRATION COOLED HEAT SINK AND A SELF CONTAINED COOLANT SUPPLY FOR SAME			
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I hereby certify that this <u>Request to Withdraw Holding of Abandonment</u> <small>(Identify type of correspondence)</small>			
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on <u>May 4, 2006</u> <small>(Date)</small>			
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P18/REV02

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: RICHARD C. CHU ET AL) Group Art Unit
SERIAL NUMBER: 09/965,037) 3743
FILED: September 27, 2001) Examiner:
FOR: TRANSPiration COOLED HEAT SINK) Patel
AND A SELF CONTAINED COOLANT)
SUPPLY FOR SAME)

I hereby certify that this correspondence is
being transmitted to the United States Patent
& Trademark Office via facsimile to facsimile
Number 571-273-8300 on May 4, 2006

Sheila Smadick

Signature Name Date
5/4/06

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT

In response to the Notice of Abandonment mailed April 21, 2006, Applicants hereby requests a withdrawal of the holding of abandonment as there was, in fact, no abandonment. The Notice states the application was abandoned due to an alleged failure to respond to the final office action mailed June 2, 2005. Applicants respectfully disagree as the rejection mailed June 2, 2005 should not have been final and Applicants filed a response to this office action on August 31, 2005.

The finality of the Office Action mailed June 2, 2005 was improper. Applicants filed a Request to Withdraw the Finality of this Office Action on June 9, 2005. Applicants never received any response to this filing. The Request to Withdraw the Finality of the Office Action mailed June 2, 2005 is based on the following.

On November 23, 2004, Applicants filed an RCE along with an amendment. On December 13, 2004, the Examiner issued an Office Action allowing claims 5-12 and 24-30. On March 11, 2005, Applicants filed a response to the Office Action. The response filed

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March 11, 2005 contained no amendments. The Office Action mailed June 2, 2005 rejected claims 5-12 and 24-30 based on Meijer. The Office Action states that "Applicant's amendment necessitated the new ground(s) of rejection." It is not clear how this can be the case as Applicants' response filed March 11, 2005 contained no amendments. Applicants should be given the opportunity to address the rejection based on Meijer as this art is newly applied without a necessitating amendment by the Applicants.

In view of the foregoing, Applicants requested that the finality of the office action mailed June 2, 2005 be withdrawn. Applicants never received a reply to the Request to Withdraw the Finality of the Office Action of June 2, 2005.

Applicants then filed a response on August 31, 2005 to the Office Action mailed June 2, 2005. As the rejection mailed June 2, 2005 should not have been final, Applicants response filed August 31, 2005 should have been entered. Thus, it is requested that Notice of Abandonment be withdrawn, Applicants response filed August 31, 2005 be entered and an Office Action issued.

If there are charges with respect to this matter or otherwise, please charge them to Deposit Account No. 09-0463 maintained by Applicants' Assignee.

Respectfully submitted,

By: 

David A. Fox
Registration No. 38,807
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (860) 286-2929
Facsimile (860) 286-0115
Customer No. 46429

Date: May 4, 2006